

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THEODORE KUHL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:19CV956
	)	
LT. RANDAL SHELTON, et al.,	)	
	)	
Defendant(s).	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on December 6, 2019, was served on the parties in this action. (ECF Nos. 4, 5.) No objections were filed within the time prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED that this action is DISMISSED pursuant to 28 U.S.C. § 1915(a) for failure to state a claim upon which relief may be granted except for Plaintiff's claims related to his conditions of solitary confinement and lack of medical treatment, which should proceed only as to Defendant Randal Shelton.

This, the 7<sup>th</sup> day of January 2020.

/s/ Loretta C. Biggs  
United States District Judge